

Union Calendar No. 88104TH CONGRESS
1ST SESSION**H. R. 2002****[Report No. 104-177]**

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1995

Mr. WOLF, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of Transportation and related agencies for

1 the fiscal year ending September 30, 1996, and for other
2 purposes, namely:

3 TITLE I

4 DEPARTMENT OF TRANSPORTATION

5 OFFICE OF THE SECRETARY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Secretary,
8 \$55,011,500, of which not to exceed \$40,000 shall be
9 available as the Secretary may determine for allocation
10 within the Department for official reception and represen-
11 tation expenses: *Provided*, That notwithstanding any other
12 provision of law, there may be credited to this appropria-
13 tion up to \$1,000,000 in funds received in user fees estab-
14 lished to support the electronic tariff filing system: *Pro-*
15 *vided further*, That none of the funds appropriated in this
16 Act or otherwise made available may be used to maintain
17 duplicate physical copies of airline tariffs that are already
18 available for public and departmental access at no cost;
19 to secure them against detection, alteration, or tampering;
20 or open them to inspection by the Department.

21 OFFICE OF CIVIL RIGHTS

22 For necessary expenses of the Office of Civil Rights,
23 \$6,554,000, and in addition, \$809,000, to be derived from
24 “Federal-aid Highways” subject to the “Limitation on
25 General Operating Expenses”.

3 For necessary expenses for conducting transportation
4 planning, research, systems development, and development
5 activities, to remain available until expended, \$3,309,000.

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund associated with the provision of services to entities within the Department of Transportation, not to exceed \$102,231,000 shall be paid, in accordance with law, from appropriations made available to the Department of Transportation.

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

18 For liquidation of obligations incurred for payments
19 to air carriers of so much of the compensation fixed and
20 determined under subchapter II of chapter 417 of title 49,
21 United States Code, as is payable by the Department of
22 Transportation, \$15,000,000, to remain available until ex-
23 pended and to be derived from the Airport and Airway
24 Trust Fund: *Provided*, That none of the funds in this Act
25 shall be available for the implementation or execution of
26 programs in excess of \$15,000,000 for the Payments to

1 Air Carriers program in fiscal year 1996: *Provided further,*
2 That none of the funds in this Act shall be used by the
3 Secretary of Transportation to make payment of com-
4 pensation under subchapter II of chapter 417 of title 49,
5 United States Code, in excess of the appropriation in this
6 Act for liquidation of obligations incurred under the “Pay-
7 ments to air carriers” program: *Provided further,* That
8 none of the funds in this Act shall be used for the payment
9 of claims for such compensation except in accordance with
10 this provision: *Provided further,* That none of the funds
11 in this Act shall be available for service to communities
12 in the forty-eight contiguous States that are located fewer
13 than seventy highway miles from the nearest large or me-
14 dium hub airport, or that require a rate of subsidy per
15 passenger in excess of \$200 unless such point is greater
16 than two hundred and ten miles from the nearest large
17 or medium hub airport: *Provided further,* That of funds
18 provided for “Small Community Air Service” by Public
19 Law 101–508, \$23,600,000 in fiscal year 1996 is hereby
20 rescinded: *Provided further,* That, notwithstanding any
21 other provision of law, effective January 1, 1996 no point
22 in the 48 contiguous States and Hawaii eligible for com-
23 pensated transportation in fiscal year 1996 under sub-
24 chapter II of chapter 417 of title 49, United States Code,
25 including 49 U.S.C. 41734(d), shall receive such transpor-

1 tation unless a State, local government, or other non-Fed-
2 eral entity agrees to pay at least fifty percent of the cost
3 of providing such transportation, as determined by the
4 Secretary of Transportation: *Provided further*, That the
5 Secretary may require the entity or entities agreeing to
6 pay such amounts to make advance payments or provide
7 other security to ensure that timely payments are made:
8 *Provided further*, That, notwithstanding any other provi-
9 sion of law, points covered by the cost-sharing provisions
10 under this head for which no State, local government, or
11 non-Federal entity agrees to pay at least fifty percent of
12 the cost of providing such transportation shall receive a
13 reduced level of service in fiscal year 1996, to be deter-
14 mined by the Secretary as follows: The Secretary shall
15 subtract from the funds made available in this Act so
16 much as is needed to provide compensation to all eligible
17 points for which a State, local government, or other non-
18 Federal entity agrees to pay at least fifty percent of the
19 cost of providing such transportation, and, with remaining
20 funds, allocate to each other point an amount reduced by
21 the ratio of the remainder calculated above to all funds
22 made available in this Act: *Provided further*, That the Sec-
23 retary shall allocate any funds that become unallocated as
24 the year progresses to those points for which a State, local
25 government, or other non-Federal entity does not agree

1 to pay at least fifty percent of the cost of such transpor-
2 tation.

3 PAYMENTS TO AIR CARRIERS

4 (RESCISSION)

5 Of the budgetary resources remaining available under
6 this heading, \$6,786,971 are rescinded.

7 RENTAL PAYMENTS

8 For necessary expenses for rental of headquarters
9 and field space not to exceed 8,580,000 square feet and
10 for related services assessed by the General Services Ad-
11 ministration, \$130,803,000: *Provided*, That of this
12 amount, \$1,897,000 shall be derived from the Highway
13 Trust Fund, \$41,441,000 shall be derived from the Air-
14 port and Airway Trust Fund, \$836,000 shall be derived
15 from the Pipeline Safety Fund, and \$169,000 shall be de-
16 rived from the Harbor Maintenance Trust Fund: *Provided*
17 *further*, That in addition, for assessments by the General
18 Services Administration related to the space needs of the
19 Federal Highway Administration, \$17,099,000, to be de-
20 rived from “Federal-aid Highways”, subject to the “Limi-
21 tation on General Operating Expenses”.

22 MINORITY BUSINESS RESOURCE CENTER PROGRAM

23 For the cost of direct loans, \$1,500,000, as author-
24 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-
25 ing the cost of modifying such loans, shall be as defined

1 in section 502 of the Congressional Budget Act of 1974:
2 *Provided further*, That these funds are available to sub-
3 sidize gross obligations for the principal amount of direct
4 loans not to exceed \$15,000,000. In addition, for adminis-
5 trative expenses to carry out the direct loan program,
6 \$400,000.

7 MINORITY BUSINESS OUTREACH

8 For necessary expenses of the Minority Business Re-
9 source Center outreach activities, \$2,900,000, of which
10 \$2,642,000 shall remain available until September 30,
11 1997.

12 COAST GUARD

13 OPERATING EXPENSES

14 For necessary expenses for the operation and mainte-
15 nance of the Coast Guard, not otherwise provided for; pur-
16 chase of not to exceed five passenger motor vehicles for
17 replacement only; payments pursuant to section 156 of
18 Public Law 97-377, as amended (42 U.S.C. 402 note),
19 and section 229(b) of the Social Security Act (42 U.S.C.
20 429(b)); and recreation and welfare; \$2,566,000,000, of
21 which \$25,000,000 shall be derived from the Oil Spill Li-
22 ability Trust Fund; and of which \$25,000,000 shall be ex-
23 pended from the Boat Safety Account: *Provided*, That the
24 number of aircraft on hand at any one time shall not ex-
25 ceed two hundred and eighteen, exclusive of aircraft and

1 parts stored to meet future attrition: *Provided further,*
2 That none of the funds appropriated in this or any other
3 Act shall be available for pay or administrative expenses
4 in connection with shipping commissioners in the United
5 States: *Provided further,* That none of the funds provided
6 in this Act shall be available for expenses incurred for
7 yacht documentation under 46 U.S.C. 12109, except to
8 the extent fees are collected from yacht owners and cred-
9 ited to this appropriation: *Provided further,* That the Com-
10 mandant shall reduce both military and civilian employ-
11 ment levels for the purpose of complying with Executive
12 Order No. 12839: *Provided further,* That of the funds pro-
13 vided for operating expenses for fiscal year 1996, in this
14 or any other Act, not less than \$314,200,000 shall be
15 available for drug enforcement activities.

16 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS
17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of acquisition, construction,
19 renovation, and improvement of aids to navigation, shore
20 facilities, vessels, and aircraft, including equipment related
21 thereto, \$375,175,000, of which \$32,500,000 shall be de-
22 rived from the Oil Spill Liability Trust Fund; of which
23 \$191,200,000 shall be available to acquire, repair, ren-
24 ovate or improve vessels, small boats and related equip-
25 ment, to remain available until September 30, 2000;

1 \$16,500,000 shall be available to acquire new aircraft and
2 increase aviation capability, to remain available until Sep-
3 tember 30, 1998; \$42,200,000 shall be available for other
4 equipment, to remain available until September 30, 1998;
5 \$82,275,000 shall be available for shore facilities and aids
6 to navigation facilities, to remain available until Septem-
7 ber 30, 1998; and \$43,000,000 shall be available for per-
8 sonnel compensation and benefits and related costs, to re-
9 main available until September 30, 1996: *Provided*, That
10 funds received from the sale of the VC-11A and HU-25
11 aircraft shall be credited to this appropriation for the pur-
12 pose of acquiring new aircraft and increasing aviation ca-
13 pacity: *Provided further*, That the Secretary may transfer
14 funds between projects under this head, not to exceed
15 \$50,000,000 in total for the fiscal year, thirty days after
16 notification to the House and Senate Committees on Ap-
17 propriations, solely for the purpose of providing funds for
18 facility renovation, construction, exit costs, and other im-
19 plementation costs associated with Coast Guard streamlin-
20 ing plans.

21 ENVIRONMENTAL COMPLIANCE AND RESTORATION

22 For necessary expenses to carry out the Coast
23 Guard's environmental compliance and restoration func-
24 tions under chapter 19 of title 14, United States Code,
25 \$21,000,000, to remain available until expended.

1 ALTERATION OF BRIDGES

2 For necessary expenses for alteration or removal of
3 obstructive bridges, \$16,000,000, to remain available until
4 expended.

5 RETIRED PAY

6 For retired pay, including the payment of obligations
7 therefor otherwise chargeable to lapsed appropriations for
8 this purpose, and payments under the Retired Service-
9 man's Family Protection and Survivor Benefits Plans, and
10 for payments for medical care of retired personnel and
11 their dependents under the Dependents Medical Care Act
12 (10 U.S.C. ch. 55), \$582,022,000.

13 RESERVE TRAINING

14 For all necessary expenses for the Coast Guard Re-
15 serve, as authorized by law; maintenance and operation
16 of facilities; and supplies, equipment, and services;
17 \$61,859,000.

18 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

19 For necessary expenses, not otherwise provided for,
20 for applied scientific research, development, test, and eval-
21 uation; maintenance, rehabilitation, lease and operation of
22 facilities and equipment, as authorized by law,
23 \$18,500,000, to remain available until expended, of which
24 \$3,150,000 shall be derived from the Oil Spill Liability
25 Trust Fund: *Provided*, That there may be credited to this

1 appropriation funds received from State and local govern-
2 ments, other public authorities, private sources, and for-
3 eign countries, for expenses incurred for research, develop-
4 ment, testing, and evaluation.

5 BOAT SAFETY

6 (AQUATIC RESOURCES TRUST FUND)

7 For payment of necessary expenses incurred for rec-
8 reational boating safety assistance under Public Law 92-
9 75, as amended, \$20,000,000, to be derived from the Boat
10 Safety Account and to remain available until expended.

11 EMERGENCY FUND

12 (LIMITATION ON PERMANENT APPROPRIATION)

13 (OIL SPILL LIABILITY TRUST FUND)

14 Except as provided in emergency supplemental appro-
15 priations provided in other appropriations Acts for fiscal
16 year 1996, not more than \$3,000,000 shall be obligated
17 or expended in fiscal year 1996 pursuant to section
18 6002(b) of the Oil Pollution Act of 1990 to carry out the
19 provisions of section 1012(a)(4) of that Act.

20 FEDERAL AVIATION ADMINISTRATION

21 OPERATIONS

22 For necessary expenses of the Federal Aviation Ad-
23 ministration, not otherwise provided for, including oper-
24 ations and research activities related to commercial space
25 transportation, administrative expenses for research and
26 development, establishment of air navigation facilities and

1 the operation (including leasing) and maintenance of air-
2 craft, and carrying out the provisions of subchapter I of
3 chapter 471 of title 49, U.S. Code, or other provisions of
4 law authorizing the obligation of funds for similar pro-
5 grams of airport and airway development or improvement,
6 lease or purchase of four passenger motor vehicles for re-
7 placement only, \$4,600,000,000, of which \$1,871,500,000
8 shall be derived from the Airport and Airway Trust Fund:
9 *Provided*, That there may be credited to this appropriation
10 funds received from States, counties, municipalities, for-
11 eign authorities, other public authorities, and private
12 sources, for expenses incurred in the provision of aviation
13 services, including the maintenance and operation of air
14 navigation facilities and for issuance, renewal or modifica-
15 tion of certificates, including airman, aircraft, and repair
16 station certificates, or for tests related thereto, or for proc-
17 essing major repair or alteration forms: *Provided further*,
18 That funds may be used to enter into a grant agreement
19 with a nonprofit standard setting organization to assist
20 in the development of aviation safety standards: *Provided*
21 *further*, That none of the funds in this Act shall be avail-
22 able for new applicants for the second career training pro-
23 gram: *Provided further*, That none of the funds in this Act
24 shall be available for paying premium pay under 5 U.S.C.
25 5546(a) to any Federal Aviation Administration employee

1 unless such employee actually performed work during the
2 time corresponding to such premium pay.

3 FACILITIES AND EQUIPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For necessary expenses, not otherwise provided for,
6 for acquisition, establishment, and improvement by con-
7 tract or purchase, and hire of air navigation and experi-
8 mental facilities and equipment as authorized under part
9 A of subtitle VII of title 49, U.S. Code, including initial
10 acquisition of necessary sites by lease or grant; engineer-
11 ing and service testing, including construction of test fa-
12 cilities and acquisition of necessary sites by lease or grant;
13 and construction and furnishing of quarters and related
14 accommodations for officers and employees of the Federal
15 Aviation Administration stationed at remote localities
16 where such accommodations are not available; and the
17 purchase, lease, or transfer of aircraft from funds avail-
18 able under this head; to be derived from the Airport and
19 Airway Trust Fund, \$2,000,000,000, of which
20 \$1,784,000,000 shall remain available until September 30,
21 1998, and of which \$216,000,000 shall remain available
22 until September 30, 1996: *Provided*, That there may be
23 credited to this appropriation funds received from States,
24 counties, municipalities, other public authorities, and pri-

1 vate sources, for expenses incurred in the establishment
2 and modernization of air navigation facilities.

3 FACILITIES AND EQUIPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 (RESCISSION)

6 Of the available balances under this heading,
7 \$60,000,000 are rescinded.

8 RESEARCH, ENGINEERING, AND DEVELOPMENT

9 (AIRPORT AND AIRWAY TRUST FUND)

10 For necessary expenses, not otherwise provided for,
11 for research, engineering, and development, as authorized
12 under part A of subtitle VII of title 49, U.S.C., including
13 construction of experimental facilities and acquisition of
14 necessary sites by lease or grant, \$143,000,000, to be de-
15 rived from the Airport and Airway Trust Fund and to re-
16 main available until September 30, 1998: *Provided*, That
17 there may be credited to this appropriation funds received
18 from States, counties, municipalities, other public authori-
19 ties, and private sources, for expenses incurred for re-
20 search, engineering, and development.

21 GRANTS-IN-AID FOR AIRPORTS

22 (LIQUIDATION OF CONTRACT AUTHORIZATION)

23 (AIRPORT AND AIRWAY TRUST FUND)

24 For liquidation of obligations incurred for grants-in-
25 aid for airport planning and development, and for noise
26 compatibility planning and programs as authorized under

1 subchapter I of chapter 471 and subchapter I of chapter
2 475 of title 49, U.S. Code, and under other law authoriz-
3 ing such obligations, \$1,500,000,000, to be derived from
4 the Airport and Airway Trust Fund and to remain avail-
5 able until expended: *Provided*, That none of the funds in
6 this Act shall be available for the planning or execution
7 of programs the obligations for which are in excess of
8 \$1,600,000,000 in fiscal year 1996 for grants-in-aid for
9 airport planning and development, and noise compatibility
10 planning and programs, notwithstanding section 47117(h)
11 of title 49, U.S. Code.

12 AVIATION INSURANCE REVOLVING FUND

13 The Secretary of Transportation is hereby authorized
14 to make such expenditures and investments, within the
15 limits of funds available pursuant to 49 U.S.C. 44307, and
16 in accordance with section 104 of the Government Cor-
17 poration Control Act, as amended (31 U.S.C. 9104), as
18 may be necessary in carrying out the program for aviation
19 insurance activities under chapter 443 of title 49, U.S.
20 Code.

21 AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

22 None of the funds in this Act shall be available for
23 activities under this head the obligations for which are in
24 excess of \$1,600,000 during fiscal year 1996.

1 FEDERAL HIGHWAY ADMINISTRATION

2 LIMITATION ON GENERAL OPERATING EXPENSES

3 Necessary expenses for administration, operation, in-
4 cluding motor carrier safety program operations, and re-
5 search of the Federal Highway Administration not to ex-
6 ceed \$495,381,000 shall be paid in accordance with law
7 from appropriations made available by this Act to the Fed-
8 eral Highway Administration together with advances and
9 reimbursements received by the Federal Highway Admin-
10 istration: *Provided*, That \$190,667,000 of the amount pro-
11 vided herein shall remain available until September 30,
12 1998.

13 HIGHWAY-RELATED SAFETY GRANTS

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (HIGHWAY TRUST FUND)

16 (INCLUDING TRANSFER OF FUNDS)

17 For payment of obligations incurred in carrying out
18 the provisions of title 23, United States Code, section 402
19 administered by the Federal Highway Administration, to
20 remain available until expended, \$10,000,000, to be de-
21 rived from the Highway Trust Fund: *Provided*, That not
22 to exceed \$100,000 of the amount made available herein
23 shall be available for “Limitation on general operating ex-
24 penses”: *Provided further*, That none of the funds in this
25 Act shall be available for the planning or execution of pro-
26 grams the obligations for which are in excess of

1 \$10,000,000 in fiscal year 1996 for “Highway-Related
2 Safety Grants”.

3 FEDERAL-AID HIGHWAYS

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 None of the funds in this Act shall be available for
7 the implementation or execution of programs the obliga-
8 tions for which are in excess of \$18,000,000,000 for Fed-
9 eral-aid highways and highway safety construction pro-
10 grams for fiscal year 1996.

11 FEDERAL-AID HIGHWAYS

12 (LIQUIDATION OF CONTRACT AUTHORIZATION)

13 (HIGHWAY TRUST FUND)

14 For carrying out the provisions of title 23, United
15 States Code, that are attributable to Federal-aid high-
16 ways, including the National Scenic and Recreational
17 Highway as authorized by 23 U.S.C. 148, not otherwise
18 provided, including reimbursements for sums expended
19 pursuant to the provisions of 23 U.S.C. 308,
20 \$19,200,000,000 or so much thereof as may be available
21 in and derived from the Highway Trust Fund, to remain
22 available until expended.

1 RIGHT-OF-WAY REVOLVING FUND

2 (LIMITATION ON DIRECT LOANS)

3 (HIGHWAY TRUST FUND)

4 None of the funds under this head are available for
5 obligations for right-of-way acquisition during fiscal year
6 1996.

7 MOTOR CARRIER SAFETY GRANTS

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (HIGHWAY TRUST FUND)

10 For payment of obligations incurred in carrying out
11 49 U.S.C. 31102, \$68,000,000, to be derived from the
12 Highway Trust Fund and to remain available until ex-
13 pended: *Provided*, That none of the funds in this Act shall
14 be available for the implementation or execution of pro-
15 grams the obligations for which are in excess of
16 \$79,150,000 for “Motor Carrier Safety Grants”.

17 NATIONAL HIGHWAY TRAFFIC SAFETY

18 ADMINISTRATION

19 OPERATIONS AND RESEARCH

20 For expenses necessary to discharge the functions of
21 the Secretary with respect to traffic and highway safety
22 under part C of subtitle VI of title 49, United States Code,
23 and chapter 301 of title 49, United States Code,
24 \$73,316,570, of which \$37,825,850 shall remain available
25 until September 30, 1998: *Provided*, That none of the
26 funds appropriated by this Act may be obligated or ex-

1 pending to plan, finalize, or implement any rulemaking to
2 add to section 575.104 of title 49 of the Code of Federal
3 Regulations any requirement pertaining to a grading
4 standard that is different from the three grading stand-
5 ards (treadwear, traction, and temperature resistance) al-
6 ready in effect.

7 OPERATIONS AND RESEARCH

8 (HIGHWAY TRUST FUND)

9 For expenses necessary to discharge the functions of
10 the Secretary with respect to traffic and highway safety
11 under 23 U.S.C. 403 and section 2006 of the Intermodal
12 Surface Transportation Efficiency Act of 1991 (Public
13 Law 102–240), to be derived from the Highway Trust
14 Fund, \$52,011,930, of which \$32,770,670 shall remain
15 available until September 30, 1998.

16 OPERATIONS AND RESEARCH

17 (RESCISSIONS)

18 Of the amounts made available under this heading
19 in Public Law 103–331, Public Law 102–388, and Public
20 Law 101–516, \$4,547,185 are rescinded from the national
21 advanced driving simulator project.

22 HIGHWAY TRAFFIC SAFETY GRANTS

23 (LIQUIDATION OF CONTRACT AUTHORIZATION)

24 (HIGHWAY TRUST FUND)

25 For payment of obligations incurred carrying out the
26 provisions of 23 U.S.C. 153, 402, 408, and 410, Chapter

1 303 of title 49, United States Code, and section 209 of
2 Public Law 95–599, as amended, to remain available until
3 expended, \$153,400,000, to be derived from the Highway
4 Trust Fund: *Provided*, That, notwithstanding subsection
5 2009(b) of the Intermodal Surface Transportation Effi-
6 ciency Act of 1991, none of the funds in this Act shall
7 be available for the planning or execution of programs the
8 total obligations for which, in fiscal year 1996, are in ex-
9 cess of \$153,400,000 for programs authorized under 23
10 U.S.C. 402 and 410, as amended, of which \$126,000,000
11 shall be for “State and community highway safety
12 grants”, \$2,400,000 shall be for the “National Driver
13 Register”, and \$25,000,000 shall be for section 410 “Al-
14 cohol-impaired driving countermeasures programs”: *Pro-*
15 *vided further*, That from the \$126,000,000 provided under
16 “State and community highway safety grants”,
17 \$3,000,000 shall be made available for the “Safe commu-
18 nities” program in three States, notwithstanding the pro-
19 visions of 23 U.S.C. 402(c) and (g): *Provided further*, That
20 none of these funds shall be used for construction, reha-
21 bilitation or remodeling costs, or for office furnishings and
22 fixtures for State, local, or private buildings or structures:
23 *Provided further*, That none of these funds shall be used
24 to purchase automobiles or motorcycles for state, local, or
25 private usage: *Provided further*, That not to exceed

1 \$5,153,000 of the funds made available for section 402
2 may be available for administering “State and community
3 highway safety grants”: *Provided further*, That not to ex-
4 ceed \$500,000 of the funds made available for section 410
5 “Alcohol-impaired driving counter-measures programs”
6 may be available for technical assistance to the States:
7 *Provided further*, That not to exceed \$890,000 of the
8 funds made available for the “National Driver Register”
9 may be available for administrative expenses.

10 FEDERAL RAILROAD ADMINISTRATION

11 OFFICE OF THE ADMINISTRATOR

12 For necessary expenses of the Federal Railroad Ad-
13 ministration, not otherwise provided for, \$14,000,000, of
14 which \$1,508,000 shall remain available until expended:
15 *Provided*, That none of the funds in this Act shall be avail-
16 able for the planning or execution of a program making
17 commitments to guarantee new loans under the Emer-
18 gency Rail Services Act of 1970, as amended, and no new
19 commitments to guarantee loans under section 211(a) or
20 211(h) of the Regional Rail Reorganization Act of 1973,
21 as amended, shall be made: *Provided further*, That, as part
22 of the Washington Union Station transaction in which the
23 Secretary assumed the first deed of trust on the property
24 and, where the Union Station Redevelopment Corporation
25 or any successor is obligated to make payments on such

1 deed of trust on the Secretary's behalf, including pay-
2 ments on and after September 30, 1988, the Secretary
3 is authorized to receive such payments directly from the
4 Union Station Redevelopment Corporation, credit them to
5 the appropriation charged for the first deed of trust, and
6 make payments on the first deed of trust with those funds:
7 *Provided further*, That such additional sums as may be
8 necessary for payment on the first deed of trust may be
9 advanced by the Administrator from unobligated balances
10 available to the Federal Railroad Administration, to be re-
11 imbursed from payments received from the Union Station
12 Redevelopment Corporation.

13 RAILROAD SAFETY

14 For necessary expenses in connection with railroad
15 safety, not otherwise provided for, \$49,940,660, of which
16 \$2,687,000 shall remain available until expended.

17 RAILROAD RESEARCH AND DEVELOPMENT

18 For necessary expenses for railroad research and de-
19 velopment, \$21,000,000, to remain available until ex-
20 pended.

21 NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

22 For necessary expenses related to Northeast Corridor
23 improvements authorized by title VII of the Railroad Revi-
24 talization and Regulatory Reform Act of 1976, as amend-
25 ed (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909,

1 \$100,000,000, to remain available until September 30,
2 1998.

3 RAILROAD REHABILITATION AND IMPROVEMENT
4 PROGRAM

5 The Secretary of Transportation is authorized to
6 issue to the Secretary of the Treasury notes or other obli-
7 gations pursuant to section 512 of the Railroad Revitaliza-
8 tion and Regulatory Reform Act of 1976 (Public Law 94-
9 210), as amended, in such amounts and at such times as
10 may be necessary to pay any amounts required pursuant
11 to the guarantee of the principal amount of obligations
12 under sections 511 through 513 of such Act, such author-
13 ity to exist as long as any such guaranteed obligation is
14 outstanding: *Provided*, That no new loan guarantee com-
15 mitments shall be made during fiscal year 1996.

16 NATIONAL MAGNETIC LEVITATION PROTOTYPE
17 DEVELOPMENT

18 (LIMITATION ON OBLIGATIONS)

19 (HIGHWAY TRUST FUND)

20 None of the funds in this Act shall be available for
21 the planning or execution of the National Magnetic Levita-
22 tion Prototype Development program as defined in sub-
23 sections 1036(b) and 1036(d)(1)(A) of the Intermodal
24 Surface Transportation Efficiency Act of 1991.

5 TRUST FUND SHARE OF NEXT GENERATION HIGH
6 SPEED RAIL

8 (HIGHWAY TRUST FUND)

20 GRANTS TO THE NATIONAL RAILROAD PASSENGER
21 CORPORATION

HR 2002 RH

1 \$62,000,000 shall be for transition costs incurred by the
2 Corporation, and \$230,000,000 shall be for capital im-
3 provements: *Provided*, That none of the funds under this
4 head shall be made available until significant reforms (in-
5 cluding labor reforms) in authorizing legislation are en-
6 acted to restructure the National Railroad Passenger Cor-
7 poration: *Provided further*, That funding under this head
8 for capital improvements shall not be made available be-
9 fore July 1, 1996: *Provided further*, That none of the
10 funds herein appropriated shall be used for lease or pur-
11 chase of passenger motor vehicles or for the hire of vehicle
12 operators for any officer or employee, other than the presi-
13 dent of the Corporation, excluding the lease of passenger
14 motor vehicles for those officers or employees while in offi-
15 cial travel status.

16 FEDERAL TRANSIT ADMINISTRATION

17 ADMINISTRATIVE EXPENSES

18 For necessary administrative expenses of the Federal
19 Transit Administration's programs authorized by chapter
20 53 of title 49, United States Code, \$39,260,000.

21 FORMULA GRANTS

22 For necessary expenses to carry out 49 U.S.C. 5307,
23 5310(a)(2), 5311, and 5336, to remain available until ex-
24 pended, \$890,000,000: *Provided*, That no more than
25 \$2,000,000,000 of budget authority shall be available for

1 these purposes: *Provided further*, That of the funds pro-
2 vided under this head for formula grants, no more than
3 \$400,000,000 may be used for operating assistance under
4 49 U.S.C. 5336(d).

5 UNIVERSITY TRANSPORTATION CENTERS

6 For necessary expenses for university transportation
7 centers as authorized by 49 U.S.C. 5317(b), to remain
8 available until expended, \$6,000,000.

9 TRANSIT PLANNING AND RESEARCH

10 For necessary expenses for transit planning and re-
11 search as authorized by 49 U.S.C. 5303, 5311, 5313,
12 5314, and 5315, to remain available until expended,
13 \$82,250,000 of which \$39,436,250 shall be for activities
14 under 49 U.S.C. 5303, \$4,381,250 for activities under 49
15 U.S.C. 5311(b)(2), \$8,051,250 for activities under 49
16 U.S.C. 5313(b), \$19,480,000 for activities under 49
17 U.S.C. 5314, \$8,051,251 for activities under 49 U.S.C.
18 5313(a), and \$2,850,000 for activities under 49 U.S.C.
19 5315.

20 TRUST FUND SHARE OF EXPENSES

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (HIGHWAY TRUST FUND)

23 For payment of obligations incurred in carrying out
24 49 U.S.C. 5338(a), \$1,120,850,000, to remain available
25 until expended and to be derived from the Highway Trust
26 Fund: *Provided*, That \$1,110,000,000 shall be paid from

1 the Mass Transit Account of the Highway Trust Fund to
2 the Federal Transit Administration's formula grants ac-
3 count.

4 DISCRETIONARY GRANTS

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 None of the funds in this Act shall be available for
8 the implementation or execution of programs the obliga-
9 tions for which are in excess of \$1,665,000,000 in fiscal
10 year 1996 for grants under the contract authority in 49
11 U.S.C. 5338(b): *Provided*, That there shall be available for
12 fixed guideway modernization, \$666,000,000; there shall
13 be available for the replacement, rehabilitation, and pur-
14 chase of buses and related equipment and the construction
15 of bus-related facilities, \$333,000,000; and there shall be
16 available for new fixed guideway systems, \$666,000,000,
17 to be available as follows:

18 \$42,410,000 for the Atlanta-North Springs
19 project;

20 \$17,500,000 for the South Boston Piers
21 (MOS-2) project;

22 \$6,500,000 for the Canton-Akron-Cleveland
23 commuter rail project;

24 \$2,000,000 for the Cincinnati Northeast/North-
25 ern Kentucky rail line project;

1 \$16,941,000 for the Dallas South Oak Cliff
2 LRT project;
3 \$2,500,000 for the DART North Central light
4 rail extension project;
5 \$5,000,000 for the Dallas-Fort Worth
6 RAILTRAN project;
7 \$10,000,000 for the Florida Tri-County com-
8 muter rail project;
9 \$22,630,000 for the Houston Regional Bus
10 project;
11 \$12,500,000 for the Jacksonville ASE extension
12 project;
13 \$125,000,000 for the Los Angeles Metro Rail
14 (MOS-3);
15 \$10,000,000 for the Los Angeles-San Diego
16 commuter rail project;
17 \$10,000,000 for the MARC commuter rail
18 project;
19 \$3,000,000 for the Maryland Central Corridor
20 LRT project;
21 \$2,000,000 for the Miami-North 27th Avenue
22 project;
23 \$2,500,000 for the Memphis, Tennessee Re-
24 gional Rail Plan;

1 \$75,000,000 for the New Jersey Urban Core-
2 Secaucus project;
3 \$10,000,000 for the New Orleans Canal Street
4 Corridor project;
5 \$114,989,000 for the New York Queens Con-
6 nection project;
7 \$5,000,000 for the Orange County Transitway
8 project;
9 \$22,630,000 for the Pittsburgh Airport Phase
10 1 project;
11 \$85,500,000 for the Portland Westside LRT
12 project;
13 \$2,000,000 for the Sacramento LRT extension
14 project;
15 \$10,000,000 for the St. Louis Metro Link LRT
16 project;
17 \$5,000,000 for the Salt Lake City light rail
18 project: *Provided*, That such funding may be avail-
19 able only for related high-occupancy vehicle lane and
20 intermodal corridor design costs;
21 \$10,000,000 for the San Francisco BART ex-
22 tension to the San Francisco airport project;
23 \$15,000,000 for the San Juan, Puerto Rico
24 Tren Urbano project;

1 \$1,000,000 for the Tampa to Lakeland com-
2 muter rail project;

3 \$5,000,000 for the Whitehall ferry terminal,
4 New York, New York; and

5 \$14,400,000 for the Wisconsin central com-
6 muter project.

7 MASS TRANSIT CAPITAL FUND

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (HIGHWAY TRUST FUND)

10 For payment of obligations incurred in carrying out
11 49 U.S.C. 5338(b) administered by the Federal Transit
12 Administration, \$2,000,000,000 to be derived from the
13 Highway Trust Fund and to remain available until ex-
14 pended.

15 WASHINGTON METROPOLITAN AREA TRANSIT

16 AUTHORITY

17 For necessary expenses to carry out the provisions
18 of section 14 of Public Law 96-184 and Public Law 101-
19 551, \$200,000,000, to remain available until expended.

20 SAINT LAWRENCE SEAWAY DEVELOPMENT

21 CORPORATION

22 The Saint Lawrence Seaway Development Corpora-
23 tion is hereby authorized to make such expenditures, with-
24 in the limits of funds and borrowing authority available
25 to the Corporation, and in accord with law, and to make
26 such contracts and commitments without regard to fiscal

1 year limitations as provided by section 104 of the Govern-
2 ment Corporation Control Act, as amended, as may be
3 necessary in carrying out the programs set forth in the
4 Corporation's budget for the current fiscal year.

5 OPERATIONS AND MAINTENANCE

6 (HARBOR MAINTENANCE TRUST FUND)

7 For necessary expenses for operation and mainte-
8 nance of those portions of the Saint Lawrence Seaway op-
9 erated and maintained by the Saint Lawrence Seaway De-
10 velopment Corporation, \$10,190,500, to be derived from
11 the Harbor Maintenance Trust Fund, pursuant to Public
12 Law 99-662.

13 RESEARCH AND SPECIAL PROGRAMS

14 ADMINISTRATION

15 RESEARCH AND SPECIAL PROGRAMS

16 For expenses necessary to discharge the functions of
17 the Research and Special Programs Administration,
18 \$26,030,000, of which \$574,000 shall be derived from the
19 Pipeline Safety Fund, and of which \$7,606,000 shall re-
20 main available until September 30, 1998: *Provided*, That
21 \$2,322,000 shall be transferred to the Bureau of Trans-
22 portation Statistics for the expenses necessary to conduct
23 activities related to Airline Statistics, and of which
24 \$272,000 shall remain available until expended: *Provided*
25 *further*, That up to \$1,000,000 in fees collected under 49

1 U.S.C. 5108(g) shall be deposited in the general fund of
2 the Treasury as offsetting receipts: *Provided further*, That
3 there may be credited to this appropriation funds received
4 from States, counties, municipalities, other public authori-
5 ties, and private sources for expenses incurred for train-
6 ing, for reports publication and dissemination.

7 PIPELINE SAFETY

8 (PIPELINE SAFETY FUND)

9 For expenses necessary to conduct the functions of
10 the pipeline safety program for grants-in-aid to carry out
11 a pipeline safety program, as authorized by 49 U.S.C.
12 60107 and the Hazardous Liquid Pipeline Safety Act of
13 1979, as amended, and to discharge the pipeline program
14 responsibilities of the Oil Pollution Act of 1990,
15 \$29,941,000, of which \$2,698,000 shall be derived from
16 the Oil Spill Liability Trust Fund and shall remain avail-
17 able until September 30, 1998; and of which \$27,243,000
18 shall be derived from the Pipeline Safety Fund, of which
19 \$19,423,000 shall remain available until September 30,
20 1998: *Provided*, That from amounts made available herein
21 from the Pipeline Safety Fund, not to exceed \$1,000,000
22 shall be available for grants to States for the development
23 and establishment of one-call notification systems.

1 EMERGENCY PREPAREDNESS GRANTS

2 (EMERGENCY PREPAREDNESS FUND)

3 For necessary expenses to carry out 49 U.S.C.
4 5127(c), \$400,000 to be derived from the Emergency Pre-
5 paredness Fund, to remain available until September 30,
6 1998: *Provided*, That not more than \$8,890,000 shall be
7 made available for obligation in fiscal year 1996 from
8 amounts made available by 49 U.S.C. 5116(i) and
9 5127(d): *Provided further*, That no such funds shall be
10 made available for obligation by individuals other than the
11 Secretary of Transportation, or his designees.

12 OFFICE OF INSPECTOR GENERAL

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Inspector
15 General to carry out the provisions of the Inspector Gen-
16 eral Act of 1978, as amended, \$40,238,000.

17 TITLE II

18 RELATED AGENCIES

19 ARCHITECTURAL AND TRANSPORTATION

20 BARRIERS COMPLIANCE BOARD

21 SALARIES AND EXPENSES

22 For expenses necessary for the Architectural and
23 Transportation Barriers Compliance Board, as authorized
24 by section 502 of the Rehabilitation Act of 1973, as
25 amended, \$3,656,000: *Provided*, That, notwithstanding

1 any other provision of law, there may be credited to this
2 appropriation funds received for publications and training
3 expenses.

4 NATIONAL TRANSPORTATION SAFETY BOARD

5 SALARIES AND EXPENSES

6 For necessary expenses of the National Transpor-
7 tation Safety Board, including hire of passenger motor ve-
8 hicles and aircraft; services as authorized by 5 U.S.C.
9 3109, but at rates for individuals not to exceed the per
10 diem rate equivalent to the rate for a GS-18; uniforms,
11 or allowances therefor, as authorized by law (5 U.S.C.
12 5901-5902), \$38,774,000, of which not to exceed \$1,000
13 may be used for official reception and representation ex-
14 penses.

15 EMERGENCY FUND

16 For necessary expenses of the National Transpor-
17 tation Safety Board for accident investigations, including
18 hire of passenger motor vehicles and aircraft; services as
19 authorized by 5 U.S.C. 3109, but at rates for individuals
20 not to exceed the per diem rate equivalent to the rate for
21 a GS-18; uniforms, or allowances therefor, as authorized
22 by law (5 U.S.C. 5901-5902), \$160,802 to remain avail-
23 able until expended.

1 INTERSTATE COMMERCE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Interstate Commerce
4 Commission, including services as authorized by 5 U.S.C.
5 3109, hire of passenger motor vehicles as authorized by
6 31 U.S.C. 1343(b), \$13,379,000, of which \$4,984,000
7 shall be for severance and closing costs: *Provided*, That
8 of the fees collected in fiscal year 1996 by the Interstate
9 Commerce Commission pursuant to 31 U.S.C. 9701, one-
10 twelfth of \$8,300,000 of those fees collected shall be made
11 available for each month the Commission remains in exist-
12 ence during fiscal year 1996.

13 PAYMENTS FOR DIRECTED RAIL SERVICE

14 (LIMITATION ON OBLIGATIONS)

15 None of the funds provided in this Act shall be avail-
16 able for the execution of programs the obligations for
17 which can reasonably be expected to exceed \$475,000 for
18 directed rail service authorized under 49 U.S.C. 11125 or
19 any other Act.

20 PANAMA CANAL COMMISSION

21 PANAMA CANAL REVOLVING FUND

22 For administrative expenses of the Panama Canal
23 Commission, including not to exceed \$11,000 for official
24 reception and representation expenses of the Board; not
25 to exceed \$5,000 for official reception and representation

1 expenses of the Secretary; and not to exceed \$30,000 for
2 official reception and representation expenses of the Ad-
3 ministrator, \$50,741,000, to be derived from the Panama
4 Canal Revolving Fund: *Provided*, That funds available to
5 the Panama Canal Commission shall be available for the
6 purchase of not to exceed 38 passenger motor vehicles for
7 replacement only (including large heavy-duty vehicles used
8 to transport Commission personnel across the Isthmus of
9 Panama), the purchase price of which shall not exceed
10 \$19,500 per vehicle.

11 TITLE III

12 GENERAL PROVISIONS

13 (INCLUDING TRANSFERS OF FUNDS)

14 SEC. 301. During the current fiscal year applicable
15 appropriations to the Department of Transportation shall
16 be available for maintenance and operation of aircraft;
17 hire of passenger motor vehicles and aircraft; purchase of
18 liability insurance for motor vehicles operating in foreign
19 countries on official department business; and uniforms,
20 or allowances therefor, as authorized by law (5 U.S.C.
21 5901–5902).

22 SEC. 302. Funds for the Panama Canal Commission
23 may be apportioned notwithstanding 31 U.S.C. 1341 to
24 the extent necessary to permit payment of such pay in-
25 creases for officers or employees as may be authorized by

1 administrative action pursuant to law that are not in ex-
2 cess of statutory increases granted for the same period
3 in corresponding rates of compensation for other employ-
4 ees of the Government in comparable positions.

5 SEC. 303. Funds appropriated under this Act for ex-
6 penditures by the Federal Aviation Administration shall
7 be available (1) except as otherwise authorized by the Act
8 of September 30, 1950 (20 U.S.C. 236–244), for expenses
9 of primary and secondary schooling for dependents of Fed-
10 eral Aviation Administration personnel stationed outside
11 the continental United States at costs for any given area
12 not in excess of those of the Department of Defense for
13 the same area, when it is determined by the Secretary that
14 the schools, if any, available in the locality are unable to
15 provide adequately for the education of such dependents,
16 and (2) for transportation of said dependents between
17 schools serving the area that they attend and their places
18 of residence when the Secretary, under such regulations
19 as may be prescribed, determines that such schools are
20 not accessible by public means of transportation on a regu-
21 lar basis.

22 SEC. 304. Appropriations contained in this Act for
23 the Department of Transportation shall be available for
24 services as authorized by 5 U.S.C. 3109, but at rates for

1 individuals not to exceed the per diem rate equivalent to
2 the rate for an Executive Level IV.

3 SEC. 305. None of the funds for the Panama Canal
4 Commission may be expended unless in conformance with
5 the Panama Canal Treaties of 1977 and any law imple-
6 menting those treaties.

7 SEC. 306. None of the funds in this Act shall be used
8 for the planning or execution of any program to pay the
9 expenses of, or otherwise compensate, non-Federal parties
10 intervening in regulatory or adjudicatory proceedings
11 funded in this Act.

12 SEC. 307. None of the funds appropriated in this Act
13 shall remain available for obligation beyond the current
14 fiscal year, nor may any be transferred to other appropria-
15 tions, unless expressly so provided herein.

16 SEC. 308. The Secretary of Transportation may enter
17 into grants, cooperative agreements, and other trans-
18 actions with any person, agency, or instrumentality of the
19 United States, any unit of State or local government, any
20 educational institution, and any other entity in execution
21 of the Technology Reinvestment Project authorized under
22 the Defense Conversion, Reinvestment and Transition As-
23 sistance Act of 1992 and related legislation: *Provided,*
24 That the authority provided in this section may be exer-

1 cised without regard to section 3324 of title 31, United
2 States Code.

3 SEC. 309. The expenditure of any appropriation
4 under this Act for any consulting service through procure-
5 ment contract pursuant to section 3109 of title 5, United
6 States Code, shall be limited to those contracts where such
7 expenditures are a matter of public record and available
8 for public inspection, except where otherwise provided
9 under existing law, or under existing Executive order is-
10 sued pursuant to existing law.

11 SEC. 310. (a) For fiscal year 1996 the Secretary of
12 Transportation shall distribute the obligation limitation
13 for Federal-aid highways by allocation in the ratio which
14 sums authorized to be appropriated for Federal-aid high-
15 ways that are apportioned or allocated to each State for
16 such fiscal year bear to the total of the sums authorized
17 to be appropriated for Federal-aid highways that are ap-
18 portioned or allocated to all the States for such fiscal year.

19 (b) During the period October 1 through December
20 31, 1995, no State shall obligate more than 25 per centum
21 of the amount distributed to such State under subsection
22 (a), and the total of all State obligations during such pe-
23 riod shall not exceed 12 per centum of the total amount
24 distributed to all States under such subsection.

1 (c) Notwithstanding subsections (a) and (b), the Sec-
2 retary shall—

3 (1) provide all States with authority sufficient
4 to prevent lapses of sums authorized to be appro-
5 priated for Federal-aid highways that have been ap-
6 portioned to a State;

7 (2) after August 1, 1996, revise a distribution
8 of the funds made available under subsection (a) if
9 a State will not obligate the amount distributed dur-
10 ing that fiscal year and redistribute sufficient
11 amounts to those States able to obligate amounts in
12 addition to those previously distributed during that
13 fiscal year giving priority to those States having
14 large unobligated balances of funds apportioned
15 under sections 103(e)(4), 104, and 144 of title 23,
16 United States Code, and under sections 1013(c) and
17 1015 of Public Law 102–240;

18 (3) not distribute amounts authorized for ad-
19 ministrative expenses and funded from the adminis-
20 trative takedown authorized by section 104(a), title
21 23 U.S.C., the Federal lands highway program, the
22 intelligent vehicle highway systems program, and
23 amounts made available under sections 1040, 1047,
24 1064, 6001, 6005, 6006, 6023, and 6024 of Public
25 Law 102–240, and 49 U.S.C. 5316, 5317, and

1 5338: *Provided*, That amounts made available under
2 section 6005 of Public Law 102–240 shall be subject
3 to the obligation limitation for Federal-aid highways
4 and highway safety construction programs under the
5 head “Federal-Aid Highways” in this Act;

6 (d) During the period October 1 through December
7 31, 1995, the aggregate amount of obligations under sec-
8 tion 157 of title 23, United States Code, for projects cov-
9 ered under section 147 of the Surface Transportation As-
10 sistance Act of 1978, section 9 of the Federal-Aid High-
11 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-
12 lic Law 97–424, sections 1061, 1103 through 1108, 4008,
13 and 6023(b)(8) and 6023(b)(10) of Public Law 102–240,
14 and for projects authorized by Public Law 99–500 and
15 Public Law 100–17, shall not exceed \$277,431,840.

16 (e) During the period August 2 through September
17 30, 1996, the aggregate amount which may be obligated
18 by all States pursuant to paragraph (d) shall not exceed
19 2.5 percent of the aggregate amount of funds apportioned
20 or allocated to all States—

21 (1) under sections 104 and 144 of title 23,
22 United States Code, and 1013(c) and 1015 of Public
23 Law 102–240, and

24 (2) for highway assistance projects under sec-
25 tion 103(e)(4) of title 23, United States Code,

1 which would not be obligated in fiscal year 1996 if the
2 total amount of the obligation limitation provided for such
3 fiscal year in this Act were utilized.

4 (f) Paragraph (e) shall not apply to any State which
5 on or after August 1, 1996, has the amount distributed
6 to such State under paragraph (a) for fiscal year 1996
7 reduced under paragraph (c)(2).

8 SEC. 311. None of the funds in this Act shall be avail-
9 able for salaries and expenses of more than one hundred
10 and ten political and Presidential appointees in the De-
11 partment of Transportation: *Provided*, That none of the
12 personnel covered by this provision may be assigned on
13 temporary detail outside the Department of Transpor-
14 tation.

15 SEC. 312. The limitation on obligations for the pro-
16 grams of the Federal Transit Administration shall not
17 apply to any authority under 49 U.S.C. 5338, previously
18 made available for obligation, or to any other authority
19 previously made available for obligation under the discre-
20 tionary grants program.

21 SEC. 313. None of the funds in this Act shall be used
22 to implement section 404 of title 23, United States Code.

23 SEC. 314. Such sums as may be necessary for fiscal
24 year 1996 pay raises for programs funded in this Act shall

1 be absorbed within the levels appropriated in this Act or
2 previous appropriations Acts.

3 SEC. 315. Funds received by the Research and Spe-
4 cial Programs Administration from States, counties, mu-
5 nicipalities, other public authorities, and private sources
6 for expenses incurred for training and for reports' publica-
7 tion and dissemination may be credited to the Research
8 and Special Programs account.

9 SEC. 316. None of the funds in this Act shall be avail-
10 able to plan, finalize, or implement regulations that would
11 establish a vessel traffic safety fairway less than five miles
12 wide between the Santa Barbara Traffic Separation
13 Scheme and the San Francisco Traffic Separation
14 Scheme.

15 SEC. 317. Notwithstanding any other provision of
16 law, airports may transfer, without consideration, to the
17 Federal Aviation Administration (FAA) instrument land-
18 ing systems (along with associated approach lighting
19 equipment and runway visual range equipment) which
20 conform to FAA design and performance specifications,
21 the purchase of which was assisted by a Federal airport
22 aid program, airport development aid program or airport
23 improvement program grant. The FAA shall accept such
24 equipment, which shall thereafter be operated and main-
25 tained by the FAA in accordance with agency criteria.

1 SEC. 318. None of the funds in this Act shall be avail-
2 able to award a multiyear contract for production end
3 items that (1) includes economic order quantity or long
4 lead time material procurement in excess of \$10,000,000
5 in any one year of the contract or (2) includes a cancella-
6 tion charge greater than \$10,000,000 which at the time
7 of obligation has not been appropriated to the limits of
8 the government's liability or (3) includes a requirement
9 that permits performance under the contract during the
10 second and subsequent years of the contract without con-
11 ditioning such performance upon the appropriation of
12 funds: *Provided*, That this limitation does not apply to a
13 contract in which the Federal Government incurs no fi-
14 nancial liability from not buying additional systems, sub-
15 systems, or components beyond the basic contract require-
16 ments.

17 SEC. 319. None of the funds provided in this Act
18 shall be made available for planning and executing a pas-
19 senger manifest program by the Department of Transpor-
20 tation that only applies to United States flag carriers.

21 SEC. 320. None of the funds made available in this
22 Act may be used to implement, administer, or enforce the
23 provisions of section 1038(d) of Public Law 102-240.

24 SEC. 321. Notwithstanding any other provision of
25 law, and except for fixed guideway modernization projects,

1 funds made available by this Act under “Federal Transit
2 Administration, Discretionary grants” for projects speci-
3 fied in this Act or identified in reports accompanying this
4 Act not obligated by September 30, 1998, shall be made
5 available for other projects under 49 U.S.C. 5309.

6 SEC. 322. Notwithstanding any other provision of
7 law, any funds appropriated before October 1, 1993, under
8 any section of chapter 53 of title 49 U.S.C., that remain
9 available for expenditure may be transferred to and ad-
10 ministered under the most recent appropriation heading
11 for any such section.

12 SEC. 323. None of the funds in this Act shall be avail-
13 able to implement or enforce regulations that would result
14 in the withdrawal of a slot from an air carrier at O’Hare
15 International Airport under section 93.223 of title 14 of
16 the Code of Federal Regulations in excess of the total slots
17 withdrawn from that air carrier as of October 31, 1993
18 if such additional slot is to be allocated to an air carrier
19 or foreign air carrier under section 93.217 of title 14 of
20 the Code of Federal Regulations.

21 SEC. 324. None of the funds made available by this
22 Act may be obligated or expended to design, construct,
23 erect, modify or otherwise place any sign in any State re-
24 lating to any speed limit, distance, or other measurement

1 on any highway if such sign establishes such speed limit,
2 distance, or other measurement using the metric system.

3 SEC. 325. Notwithstanding any other provisions of
4 law, tolls collected for motor vehicles on any bridge con-
5 necting the boroughs of Brooklyn, New York, and Staten
6 Island, New York, shall continue to be collected for only
7 those vehicles exiting from such bridge in Staten Island.

8 SEC. 326. None of the funds in this Act may be used
9 to compensate in excess of 335 technical staff years under
10 the federally-funded research and development center
11 contract between the Federal Aviation Administration
12 and the Center for Advanced Aviation Systems Develop-
13 ment during fiscal year 1996.

14 SEC. 327. Funds provided in this Act for the Depart-
15 ment of Transportation working capital fund (WCF) shall
16 be reduced by \$10,000,000, which limits fiscal year 1996
17 WCF obligational authority for elements of the Depart-
18 ment of Transportation funded in this Act to no more
19 than \$92,231,000: *Provided*, That such reductions from
20 the budget request shall be allocated by the Department
21 of Transportation to each appropriations account in pro-
22 portion to the amount included in each account for the
23 working capital fund.

24 SEC. 328. Funds received by the Federal Highway
25 Administration, Federal Transit Administration, and Fed-

1 eral Railroad Administration from States, counties, mu-
2 nicipalities, other public authorities, and private sources
3 for expenses incurred for training may be credited respec-
4 tively to the Federal Highway Administration's "Limita-
5 tion on General Operating Expenses" account, the Federal
6 Transit Administration's "Transit Planning and Re-
7 search" account, and to the Federal Railroad Administra-
8 tion's "Railroad Safety" account, except for State rail
9 safety inspectors participating in training pursuant to 49
10 U.S.C. 20105.

11 SEC. 329. (a) PURCHASE OF AMERICAN-MADE
12 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
13 gress that, to the greatest extent practicable, all equip-
14 ment and products purchased with funds made available
15 in this Act should be American-made.

16 (b) NOTICE REQUIREMENT.—In providing financial
17 assistance to, or entering into any contract with, any en-
18 tity using funds made available in this Act, the head of
19 each Federal agency, to the greatest extent practicable,
20 shall provide to such entity a notice describing the state-
21 ment made in subsection (a) by the Congress.

22 SEC. 330. None of the funds in this Act shall be avail-
23 able to prepare, propose, or promulgate any regulations
24 pursuant to title V of the Motor Vehicle Information and
25 Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing

1 corporate average fuel economy standards for automobiles,
2 as defined in such title, in any model year that differs
3 from standards promulgated for such automobiles prior to
4 enactment of this section.

5 SEC. 331. Section 30308(a) of title 49, United States
6 Code, is amended by inserting after “1995” “and
7 \$2,400,000 for fiscal year 1996”.

8 SEC. 332. Notwithstanding 15 U.S.C. 631 et seq. and
9 10 U.S.C. 2301 et seq. as amended, the United States
10 Coast Guard acquisition of 47-foot Motor Life Boats for
11 fiscal years 1995 through 2000 shall be subject to full and
12 open competition for all U.S. shipyards. Accordingly, the
13 Federal Acquisition Regulations (FAR) (including but not
14 limited to FAR Part 19), shall not apply to the extent
15 they are inconsistent with a full and open competition.

16 SEC. 333. None of the funds in this Act may be used
17 for planning, engineering, design, or construction of a
18 sixth runway at the new Denver International Airport,
19 Denver, Colorado: *Provided*, That this provision shall not
20 apply in any case where the Administrator of the Federal
21 Aviation Administration determines, in writing, that safe-
22 ty conditions warrant obligation of such funds.

23 SEC. 334. (a) Section 5302(a)(1) of title 49, United
24 States Code, is amended by striking—

1 (1) in subparagraph (B), “that extends the eco-
2 nomic life of the bus for at least 5 years”; and

3 (2) in subparagraph (C), “that extends the eco-
4 nomic life of the bus for at least 8 years”.

5 (b) The amendments made by this section shall not
6 take effect before March 31, 1996.

7 SEC. 335. Notwithstanding 31 U.S.C. 3302, funds re-
8 ceived by the Bureau of Transportation Statistics from the
9 sale of data products, for necessary expenses incurred pur-
10 suant to the provisions of section 6006 of the Intermodal
11 Surface Transportation Efficiency Act of 1991, may be
12 credited to the Federal-aid highways account for the pur-
13 pose of reimbursing the Bureau for such expenses: *Pro-*
14 *vided*, That such funds shall not be subject to the obliga-
15 tion limitation for Federal-aid highways and highway safe-
16 ty construction.

17 SEC. 336. Of the budgetary resources provided to the
18 Department of Transportation (excluding the Maritime
19 Administration) during fiscal year 1996, \$25,000,000 are
20 permanently canceled: *Provided*, That the Secretary of
21 Transportation shall reduce the existing field office struc-
22 ture, and to the extent practicable collocate the Depart-
23 ment’s surface transportation field offices: *Provided fur-*
24 *ther*, That the Secretary may for the purpose of consolida-
25 tion of offices and facilities other than those at Head-

1 quarters, after notification to and approval of the House
2 and Senate Committees on Appropriations, transfer the
3 funds made available by this Act for civilian and military
4 personnel compensation and benefits and other adminis-
5 trative expenses to other appropriations made available to
6 the Department of Transportation as the Secretary may
7 designate, to be merged with and to be available for the
8 same purposes and for the same time period as the appro-
9 priations of funds to which transferred: *Provided further*,
10 That no appropriation shall be increased or decreased by
11 more than ten per centum by all such transfers.

12 SEC. 337. The Secretary of Transportation is author-
13 ized to transfer funds appropriated for any office of the
14 Office of the Secretary to “Rental payments” for any ex-
15 pense authorized by that appropriation in excess of the
16 amounts provided in this Act: *Provided*, That prior to any
17 such transfer, notification shall be provided to the House
18 and Senate Committees on Appropriations.

19 SEC. 338. None of the funds in this Act may be obli-
20 gated or expended for employee training which: (a) does
21 not meet identified needs for knowledge, skills and abilities
22 bearing directly upon the performance of official duties;
23 (b) contains elements likely to induce high levels of emo-
24 tional response or psychological stress in some partici-
25 pants; (c) does not require prior employee notification of

1 the content and methods to be used in the training and
2 written end of course evaluations; (d) contains any meth-
3 ods or content associated with religious or quasi-religious
4 belief systems or “new age” belief systems as defined in
5 Equal Employment Opportunity Commission Notice N-
6 915.022, dated September 2, 1988; (e) is offensive to, or
7 designed to change, participants’ personal values or life-
8 style outside the workplace; or (f) includes content related
9 to human immunodeficiency virus/acquired immune defi-
10 ciency syndrome (HIV/AIDS) other than that necessary
11 to make employees more aware of the medical ramifica-
12 tions of HIV/AIDS and the workplace rights of HIV-posi-
13 tive employees.

14 SEC. 339. Notwithstanding any other provision of
15 law, facilities known as Kimery Park and Family Park lo-
16 cated on property of Hot Springs Memorial Field in Hot
17 Springs, Arkansas, shall not be considered airport prop-
18 erty used for nonaeronautical purposes the use of which
19 requires fair market rental value for the purposes of meet-
20 ing requirements of the Airport and Airway Improvement
21 Act of 1982, as amended, pertaining to airport revenue
22 diversion and maximization of airport revenue.

23 SEC. 340. (a) Except as provided in subsection (b)
24 of this section, 180 days after attaining eligibility for an
25 immediate retirement annuity under 5 U.S.C. 8336 or 5

1 U.S.C. 8412, an individual shall not be eligible to receive
2 compensation under 5 U.S.C. 8105–8106 resulting from
3 work injuries associated with employment with the De-
4 partment of Transportation (excluding the Maritime Ad-
5 ministration).

6 (b) An individual who, on the date of enactment of
7 this Act, is eligible to receive an immediate annuity de-
8 scribed in subsection (a) may continue to receive such
9 compensation under 5 U.S.C. 8105–8106 until March 31,
10 1996.

11 SEC. 341. None of the funds in this Act shall be avail-
12 able to pay the salaries and expenses of any individual
13 to arrange tours of scientists or engineers employed by
14 or working for the People’s Republic of China, to hire citi-
15 zens of the People’s Republic of China to participate in
16 research fellowships sponsored by the Federal Highway
17 Administration or other modal administrations of the De-
18 partment of Transportation, or to provide training or any
19 form of technology transfer to scientists or engineers em-
20 ployed by or working for the People’s Republic of China.

21 SEC. 342. None of the funds in this Act may be used
22 to support Federal Transit Administration’s field oper-
23 ations and oversight of the Washington Metropolitan Area
24 Transit Authority in any location other than from the
25 Washington, D.C. metropolitan area.

1 SEC. 343. (a) Subsection (b) of section 5333 of title
2 49, United States Code, is hereby repealed.

3 (b) The repeal made by this section shall take effect
4 on the date of enactment of this Act. Any labor protection
5 agreement or arrangement entered into or imposed pursu-
6 ant to the subsection repealed by this subsection, or sec-
7 tion 13(c) of the Federal Transit Act, prior to such date
8 of enactment shall be terminated, as of such date, and
9 shall have no further force or effect, and no rights or du-
10 ties shall exist on the basis of any such labor protection
11 agreement or arrangement entered into or imposed pursu-
12 ant to such subsection or such section 13(c) notwithstand-
13 ing the provisions of any law.

14 SEC. 344. In addition to the sums made available to
15 the Department of Transportation, \$8,421,000 shall be
16 available on the effective date of legislation transferring
17 certain rail and motor carrier functions from the Inter-
18 state Commerce Commission to the Department of Trans-
19 portation: *Provided*, That such amount shall be available
20 only to the extent authorized by law: *Provided further*,
21 That of the fees collected pursuant to 31 U.S.C. 9701 in
22 fiscal year 1996 by the successors of the Interstate Com-
23 merce Commission, one-twelfth of \$8,300,000 of those
24 fees shall be made available for each month during fiscal
25 year 1996 that the successors of the Interstate Commerce

1 Commission carry out the transferred rail and motor car-
2 rier functions.

3 SEC. 345. The Secretary of Transportation shall not
4 authorize funding of additional Federal-aid projects for
5 the Central Artery/Third Harbor Tunnel Project in Bos-
6 ton, Massachusetts, unless a financial plan is submitted
7 by the Commonwealth of Massachusetts by October 30,
8 1995, and approved by the Secretary: *Provided*, That for
9 each fiscal year thereafter until the project is complete,
10 the financial plan shall be updated bi-annually and sub-
11 mitted to the Secretary by February 1 and August 1 of
12 each fiscal year and further funding shall not be approved
13 by the Secretary until the Secretary approves such up-
14 dated plans: *Provided further*, That each such financial
15 plan shall be based on a detailed annual estimate of the
16 cost to complete the remaining elements of the project in-
17 cluding all commitments contained in the approved project
18 environmental documents, regardless of whether these ele-
19 ments are to be federally funded: *Provided further*, That
20 the financial plan shall be based on reasonable assump-
21 tions of future cost increases, as determined by the Sec-
22 retary, and shall identify the sources of available and pro-
23 posed funding necessary to finance completion of the
24 project while considering other State transportation needs.

1 **TITLE IV—PROVIDING FOR THE ADOPT-**
2 **ION OF MANDATORY STANDARDS**
3 **AND PROCEDURES GOVERNING THE**
4 **ACTIONS OF ARBITRATORS IN THE AR-**
5 **BITRATION OF LABOR DISPUTES IN-**
6 **VOLVING TRANSIT AGENCIES OPERAT-**
7 **ING IN THE NATIONAL CAPITAL AREA**

8 **SECTION 401. SHORT TITLE.**

9 This title may be cited as the “National Capital Area
10 Interest Arbitration Standards Act of 1995”.

11 **SEC. 402. FINDINGS AND PURPOSES.**

12 (a) FINDINGS.—The Congress finds that—

13 (1) affordable public transportation is essential
14 to the economic vitality of the national capital area
15 and is an essential component of regional efforts to
16 improve air quality to meet environmental require-
17 ments and to improve the health of both residents
18 of and visitors to the national capital area as well
19 as to preserve the beauty and dignity of the Nation’s
20 capital;

21 (2) use of mass transit by both residents of and
22 visitors to the national capital area is substantially
23 affected by the prices charged for such mass transit
24 services, prices that are substantially affected by

1 labor costs, since more than $\frac{2}{3}$ of operating costs
2 are attributable to labor costs;

3 (3) labor costs incurred in providing mass tran-
4 sit in the national capital area have increased at an
5 alarming rate and wages and benefits of operators
6 and mechanics currently are among the highest in
7 the Nation;

8 (4) higher operating costs incurred for public
9 transit in the national capital area cannot be offset
10 by increasing costs to patrons, since this often dis-
11 courages ridership and thus undermines the public
12 interest in promoting the use of public transit;

13 (5) spiraling labor costs cannot be offset by the
14 governmental entities that are responsible for sub-
15 sidy payments for public transit services since local
16 governments generally, and the District of Columbia
17 government in particular, are operating under severe
18 fiscal constraints;

19 (6) imposition of mandatory standards applica-
20 ble to arbitrators resolving arbitration disputes in-
21 volving interstate compact agencies operating in the
22 national capital area will ensure that wage increases
23 are justified and do not exceed the ability of transit
24 patrons and taxpayers to fund the increase; and

1 (7) Federal legislation is necessary under Arti-
2 cle I of section 8 of the United States Constitution
3 to balance the need to moderate and lower labor
4 costs while maintaining industrial peace.

5 (b) PURPOSE.—It is therefore the purpose of this Act
6 to adopt standards governing arbitration which must be
7 applied by arbitrators resolving disputes involving inter-
8 state compact agencies operating in the national capital
9 area in order to lower operating costs for public transpor-
10 tation in the Washington metropolitan area.

11 **SEC. 403. DEFINITIONS.**

12 As used in this Title—

13 (1) the term “arbitration” means—

14 (A) the arbitration of disputes, regarding
15 the terms and conditions of employment, that is
16 required under an interstate compact governing
17 an interstate compact agency operating in the
18 national capital area; and

19 (B) does not include the interpretation and
20 application of rights arising from an existing
21 collective bargaining agreement;

22 (2) the term “arbitrator” refers to either a sin-
23 gle arbitrator, or a board of arbitrators, chosen
24 under applicable procedures;

1 (3) an interstate compact agency's "funding
2 ability" is the ability of the interstate compact agen-
3 cy, or of any governmental jurisdiction which pro-
4 vides subsidy payments or budgetary assistance to
5 the interstate compact agency, to obtain the nec-
6 essary financial resources to pay for wage and bene-
7 fit increases for employees of the interstate compact
8 agency;

9 (4) the term "interstate compact agency operat-
10 ing in the national capital area" means any inter-
11 state compact agency which provides public transit
12 services;

13 (5) the term "interstate compact agency"
14 means any agency established by an interstate com-
15 pact to which the District of Columbia is a signa-
16 tory; and

17 (6) the term "public welfare" includes, with re-
18 spect to arbitration under an interstate compact—

19 (A) the financial ability of the individual
20 jurisdictions participating in the compact to pay
21 for the costs of providing public transit services;
22 and

23 (B) the average per capita tax burden,
24 during the term of the collective bargaining
25 agreement to which the arbitration relates, of

1 the residents of the Washington, D.C. metro-
2 politan area, and the effect of an arbitration
3 award rendered pursuant to such arbitration on
4 the respective income or property tax rates of
5 the jurisdictions which provide subsidy pay-
6 ments to the interstate compact agency estab-
7 lished under the compact.

8 **SEC. 404. STANDARDS FOR ARBITRATORS.**

9 (a) FACTORS IN MAKING ARBITRATION AWARD.—An
10 arbitrator rendering an arbitration award involving the
11 employees of an interstate compact agency operating in
12 the national capital area may not make a finding or a deci-
13 sion for inclusion in a collective bargaining agreement gov-
14 erning conditions of employment without considering the
15 following factors:

16 (1) The existing terms and conditions of em-
17 ployment of the employees in the bargaining unit.

18 (2) All available financial resources of the inter-
19 state compact agency.

20 (3) The annual increase or decrease in
21 consumer prices for goods and services as reflected
22 in the most recent consumer price index for the
23 Washington, D.C. metropolitan area, published by
24 the Bureau of Labor Statistics of the United States
25 Department of Labor.

1 (4) The wages, benefits, and terms and condi-
2 tions of the employment of other employees who per-
3 form, in other jurisdictions in the Washington, D.C.
4 standard metropolitan statistical area, services simi-
5 lar to those in the bargaining unit.

6 (5) The special nature of the work performed
7 by the employees in the bargaining unit, including
8 any hazards or the relative ease of employment,
9 physical requirements, educational qualifications, job
10 training and skills, shift assignments, and the de-
11 mands placed upon the employees as compared to
12 other employees of the interstate compact agency.

13 (6) The interests and welfare of the employees
14 in the bargaining unit, including—

15 (A) the overall compensation presently re-
16 ceived by the employees, having regard not only
17 for wage rates but also for wages for time not
18 worked, including vacations, holidays, and other
19 excused absences;

20 (B) all benefits received by the employees,
21 including previous bonuses, insurance, and pen-
22 sions; and

23 (C) the continuity and stability of employ-
24 ment.

25 (7) The public welfare.

1 (b) COMPACT AGENCY'S FUNDING ABILITY.—An ar-
2 bitrator rendering an arbitration award involving the em-
3 ployees of an interstate compact agency operating in the
4 national capital area may not, with respect to a collective
5 bargaining agreement governing conditions of employ-
6 ment, provide for salaries and other benefits that exceed
7 the interstate compact agency's funding ability.

8 (c) REQUIREMENTS FOR FINAL AWARD.—In resolv-
9 ing a dispute submitted to arbitration involving the em-
10 ployees of an interstate compact agency operating in the
11 national capital area, the arbitrator shall issue a written
12 award that demonstrates that all the factors set forth in
13 subsections (a) and (b) have been considered and applied.
14 An award may grant an increase in pay rates or benefits
15 (including insurance and pension benefits), or reduce
16 hours of work, only if the arbitrator concludes that any
17 costs to the agency do not adversely affect the public wel-
18 fare. The arbitrator's conclusion regarding the public wel-
19 fare must be supported by substantial evidence.

20 **SEC. 405. PROCEDURES FOR ENFORCEMENT OF AWARDS.**

21 (a) MODIFICATIONS AND FINALITY OF AWARD.—In
22 the case of an arbitration award to which section 404 ap-
23 plies, the interstate compact agency and the employees in
24 the bargaining unit, through their representative, may
25 agree in writing upon any modifications to the award with-

1 in 10 days after the award is received by the parties. After
2 the end of that 10-day period, the award, with any such
3 modifications, shall become binding upon the interstate
4 compact agency, the employees in the bargaining unit, and
5 the employees' representative.

6 (b) IMPLEMENTATION.—Each party to an award that
7 becomes binding under subsection (a) shall take all actions
8 necessary to implement the award.

9 (c) JUDICIAL REVIEW.—Within 60 days after an
10 award becomes binding under subsection (a), the inter-
11 state compact agency or the exclusive representative of the
12 employees concerned may file a civil action in a court
13 which has jurisdiction over the interstate compact agency
14 for review of the award. The court shall review the award
15 on the record, and shall vacate the award or any part of
16 the award, after notice and a hearing, if—

17 (1) the award is in violation of applicable law;

18 (2) the arbitrator exceeded the arbitrator's pow-
19 ers;

20 (3) the decision by the arbitrator is arbitrary or
21 capricious;

22 (4) the arbitrator conducted the hearing con-
23 trary to the provisions of this title or other statutes
24 or rules that apply to the arbitration so as to sub-
25 stantially prejudice the rights of a party;

1 (5) there was partiality or misconduct by the
2 arbitrator prejudicing the rights of a party;

3 (6) the award was procured by corruption,
4 fraud, or bias on the part of the arbitrator; or

5 (7) the arbitrator did not comply with the pro-
6 visions of section 404.

7 This Act may be cited as the “Department of Trans-
8 portation and Related Agencies Appropriations Act,
9 1996”.

HR 2002 RH—2

HR 2002 RH—3

HR 2002 RH—4

HR 2002 RH—5

Union Calendar No. 88

104TH CONGRESS
1ST SESSION

H. R. 2002

[Report No. 104-177]

A BILL

Making appropriations for the Department of
Transportation and related agencies for the fiscal
year ending September 30, 1996, and for other
purposes.

JULY 11, 1995

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed